

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VICTOR TAGLE,

Plaintiff,

V.

MICHAEL ANDERSON, et al..

Defendants.

Case No. 2:16-cv-00757-JCM-PAL

ORDER

(Mots. – ECF Nos. 86, 87, 100, 103, 121)

12 This matter is before the court on plaintiff Victor Tagle's Motion to be Removed from
13 Facilities (ECF No. 86), Motion to Demand Discovery (ECF No. 87), Motion for Audio (ECF
14 No. 100), Motion for Investigation and Authorities Intervention (ECF No. 121), and defendants'
15 Motion to Extend Time to Respond to Plaintiff's Demand for Audio (ECF No. 103). These
16 motions are referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the
17 Local Rules of Practice. The court has considered the motions and responses (ECF Nos. 107, 108,
18 112, 124). No reply briefs were filed and the deadline for doing so has expired.

Having reviewed and considered the matter, the court finds that Mr. Tagle's motions lack merit. In addition, some are clearly duplicative of previously denied requests.¹ This court has repeatedly warned Mr. Tagle against this abusive litigation tactic:

22 Mr. Tagle is indeed required to follow the rules and may be sanctioned for engaging
23 in abusive litigation practices. Sanctions for litigation misconduct, up to and
24 including dispositive (case ending) sanctions may be imposed. Tagle's filings to
date are largely frivolous and demonstrate a disregard for the Federal Rules of Civil

25 ¹ *E.g.*, Aug. 17, 2018 Order (ECF No. 81) (denying Tagle’s motions (ECF Nos. 51, 54, 64, 77) regarding
26 transfer to federal facilities and motions (ECF Nos. 49, 51, 54, 56, 58, 66, 72, 76) regarding discovery);
27 *Tagle v. Dep’t of Homeland Security*, 2:15-cv-02506-APG-VCF, Oct. 9, 2018 Order (ECF No. 86) (denying
28 Tagle’s motion to move him to the Clary County Detention Center or federal facilities and motions for
intervention and investigation of his case); *Tagle v. State of Nevada*, 2:15-cv-00216-JCM-PAL, Oct. 27,
2016 Order (ECF No. 105) (denying Tagle’s motion to remove him from NDOC’s custody and place him
in federal custody).

1 Procedure, the Local Rules of Practice, and prior orders of the court. His multiple
2 filings have wasted the resources of the court, the NDOC defendants, and their
3 counsel. Mr. Tagle is therefore explicitly warned that any subsequent motion
4 practice requesting relief that has already been denied or making frivolous,
5 unsupported requests may result in the imposition of sanctions, up to and including
6 a recommendation that this case be dismissed.

7 Aug. 2018 Order (ECF No. 81) at 9 (denying Tagle's 11 frivolous motions).

8 For the reasons stated in the court's prior order,

9 **IT IS ORDERED:**

10 1. Plaintiff Victor Tagle's Motion to be Removed from Facilities (ECF No. 86), Motion
11 to Demand Discovery (ECF No. 87), Motion for Audio (ECF No. 100), and Motion for
12 Investigation and Authorities Intervention (ECF No. 121) are **DENIED**.

13 2. Defendants' Motion to Extend Time (ECF No. 103) is **GRANTED**.

14 Dated this 22nd day of February, 2019.

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16 PEGGY A. LEEN
17 UNITED STATES MAGISTRATE JUDGE
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